

REMARKS

In the Advisory Action dated August 9, 2005, the Examiner rejected claims 1, 3-16, and 17-31 under 35 USC § 102(e) based on US Patent 6,502,132 to Kumano et al. ("Kumano"). Applicants traverse the rejections and respectfully request reconsideration.

In the Advisory Action dated August 9, 2005, the Examiner expressed the view that certain limitations were not present in the claims. The Examiner states: "In response to Applicant's arguments that the references fail to show certain features of applicant's invention, it is noted that the features upon which the applicant relies (i.e., using different time intervals based on the type of device or any other quality of the monitored device) are not recited in the rejected claim(s)." Applicants have amended the claims to incorporate the Examiner's suggestion. Thus, independent claims 1, 16, 30 and 31 have been amended to include "wherein the different time intervals are determined in response to the type of device." Kumano nowhere states or discloses a method of monitoring a network of devices using different monitoring procedures, in which the monitoring procedures comprise interrogating said different types of device at different time intervals, wherein the different time intervals are determined in response to the type of device. In view of the argument set out above it is submitted that claims 1, 16, 30 and 31 as now amended are allowable under 35 USC 102.

Similarly, claim 15 already includes using different time intervals that are determined in response to the type of device. In particular, claim 15 recites (i) a tenth program step in which if it is determined that the device is a first type of device then apply a first interrogation time interval and return to the seventh program step, (ii) an eleventh program step in which if

it is determined that the device is a second type of device then apply a second interrogation time interval and return to the seventh program step. Further, the preamble of claim 15 has been amended to present the preamble in a clear manner. As set forth in the argument described above, claim 15 is allowable under 35 USC 102.

Next, independent claims 6 and 21 recite determining the number of devices in the network to be monitored, and changing the monitoring procedure in accordance with the determined number. In the Advisory Action, the Examiner indicated that the claims did not include limitations relating to altering the monitoring of network devices in response to a quality (i.e., characteristics) of the devices on the network. In claims 6 and 21, the number of devices is a quality associated with the devices used to alter the monitoring interval. The applicants submit that there is no disclosure in Kumano of changing the monitoring procedure in accordance with the number of devices in the network as determined. There is no determination of the number of devices, merely counting of the number of monitoring devices up to the predetermined total and there is no change in the monitoring procedure in accordance with any kind of counting of numbers. It is therefore submitted that claims 6 and 21 are allowable under 35 USC § 102.

New claims 32 and 33 have been added by the present amendment. These claims are similar in scope to claim 15. Specifically, claim 32 is the body of the claim 15 together with a preamble indicating the claim is directed to a method, while claim 33 is the same, but having a preamble indicating that the claim is directed to a computer readable storage medium.

Furthermore, claims 3, 5 and 14 depend from independent claim 1. Claims 7-13 and 29 depends from independent claim 6. Claims 18-20 depend from independent claim 16.

Claims 22-28 depend from independent claim 21. Because the dependent claims depend from allowable independent claims, the dependent claims are now allowable for at least the reasons set forth above.

IV. Conclusion

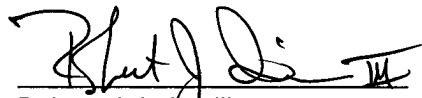
The Applicants submit that the application is in good and proper form for allowance and respectfully request the Examiner to pass this application to issue. If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney, at 312-913-3305.

Respectfully submitted,

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Date: Oct. 19, 2005

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